The Inland Empire's
PRIDE 102.5 FM
COMMUNITY RADIO FOR SAN BERNARDINO

INTRODUCING PRIDE 102.5 FM

PRIDE 102.5 FM is a brand new concept in niche radio serving the Gay, Lesbian, Bisexual and surrounding community of San Bernardino.

PRIDE 102.5 FM will start broadcasting 24 hours daily sometime in early June of 1993. 102.5 FM will operate through the Green Carnation Coffee House, and St Aelred's Sarum Episcopal Church. The station's studios will operate in the same building as the Gay and Lesbian Community Center, and the Gay Community Hotline in the Mid-city area of San Bernardino.

PRIDE 102.5 FM's coverage area will include two of the area's Gay nightclubs, along with down town San Bernardino, including city Hall, Carousel Mall, the Federal and Municipal Courts, the San Bernardino County Seat, San Bernardino High School, St. Bernardine's Medical Center, and many other important places where perspectives of the many different and diverse homosexual population needs to be heard.

PRIDE 102.5 FM would like to hear your questions, comments or ideas. DONATIONS ARE ALSO NEEDED IN ANY AMOUNT. WRITE TO:

P.O. BOX 2775,SBdno,Ca. 92406

102.5 FM

TALK SHOWS

GAY PERFORMANCE ARTISTS

GAY COMMUNITY CALENDAR

MASS FROM ST. AELRED'S PARISH

UP TO DATE COMMUNITY NEWS

COMMUNITY FORUM

GAY TEEN ISSUES

GAY TRAVEL SHOWS

AND MORE!!!

SUPPORT
GAY RADIO
YOUR DONATIONS ARE
APPRECIATED!

Mr. Jim Lyons
District Engineer,
Field Operations Bureau,
Federal Communications Commission,
San Diego, Ca 92111-2216

November 16, 1993

Dear Mr. Lyons,

Thank You for responding quickly to my questions regarding the operation of a Part 15 FM radio station between 88-108 Mhz. This information will be quite helpful. It is also reassuring to have the exact rules to make sure that we are within the legalities of this issue. It is our intention to cooperate fully with any and all questions and laws that apply to this operation. We are being very careful so that we do not cause any harmful interference, and are making every effort to be well informed and knowledgeable regarding part 15.

Enclosed you will find a report on our operation of a Part 15 radio station. It is our intention that the FCC know everything there is to know about our operation so that there are no surprises.

This Part 15 FM radio station will be located in San Bernardino, California. For any correspondence or to contact us you may want to keep the following information on file:

location: St. Aelred's Sarum Episcopal Church
1580 North "D" Street
San Bernardino, Ca. 92406

mailing address: P.O Box 2775
San Bernardino, Ca. 92406

phone number: (909) 384-1940

Once Again, Thank You for your help, and we look forward to speaking with You in the future on this issue.

Sincerely,

Mark Westwood

Att. #9

PRIDE RADIO

We, St. Aelred's Sarum Episcopal Church of San Bernardino, California, a California non-profit organization submit the following to the Federal Communications Commission Field Office in San Diego on this 16th day of November, Nineteen Hundred and Ninety-three.

So that there be no dispute to that fact that St. Aelred's Church intends to operate a Part 15 FM radio station under Section 47, Part 15, in so many rules as included in Rules 15.13 through 15.209 of the FCC guidebook, the following information is available to all who are interested.

St. Aelred's Parish is located physically at 1580 North "D" Street in San Bernardino, California. The afore mentioned intentional radiator will be operated from this site. Those who wish to correspond by mail, may do so by Writing to P.O.B 2775, San Bernardino, California, or by phone at (909) 384-1940.

MISSION STATEMENT

It is the goal of St. Aelred's to use this Part 15 FM radio station to broadcast Church services and community oriented issues. St. Aelred's plans to broadcast educational messages in the fight against drugs and gang violence. We will provide this Part 15 FM radio station to be known as PRIDE RADIO, To broadcast in a Niche, and help to improve that Niche and the attitudes of the people in it towards themselves and the people in it regardless of ethnic background, religion, creed, or sexuality.

Our purpose is to produce programming entirely through the efforts of volunteers from our parish and the surrounding community that would not ordinarily or with any regularity be produced by commercial radio stations, or larger public or community broadcast stations due to staff and financial restrictions. In the best sense, our purpose is to provide community access radio. We will be able to provide a vehicle for different opinions, and turn a small portion of the airwaves back to the community that owns them instead of multi-billion dollar financial moguls that currently own nearly all radio stations across the United States. Our final purpose is to prove that radio, a public estate, should be first a public commodity, and not a personal commodity.

Att. #9 (cont)

Already, two other Part 15 radio stations exist in San Bernardino, one at San Bernardino Valley College at 96.1 FM and the other at California State University San Bernardino at 106.3 FM. SBVC's radio station operates at the Southern-most point of the city and CSU San Bernardino's station operates at the Northern-most point of San Bernardino. PRIDE RADIO will operate at a site that is almost exactly in the center of San Bernardino.

CSU San Bernardino and San Bernardino Valley College have operated their stations for over three years without incident or report of harmful interference, or complaints from other radio stations in the area. We expect through our own careful planning and construction to have the same results as these two other success stories. It is also important to note that in Southern California, stations at the University of Southern California, UC Irvine, and the California Institute for the Blind in Yucapia, Ca have either recently been constructed or are in the process of constructing Part 15 radio stations.

PRIDE RADIO can make a difference in our community and we look forward to the challenges that it brings, and the positive results such a station can provide for the central area of San Bernardino and the people in this area.

Att. #9 (cont.)

TECHNICAL SPECIFICATIONS

RULES

1. Pride Radio operates is a Part 15 FM Radio station under FCC Rules and regulations, Sec. 47, Part 15, Rules 15.13 through 15.209.

FREQUENCY

2. Pride Radio will operate on 102.5 MHz. This frequency was chosen after reviewing a data base of current operating radio stations compiled by San Bernardino Valley College. The data was compiled with a 16 mile protection area of interference from Heaps Peak in the San Bernardino Mountains. Heaps Peak is less than ten miles from the point of the radiator. This report was provided by Roger Funk, SBVC Radio engineer. The closest radio stations are KTOT, 101.5 FM, Big Bear, and Y102.3 FM, Victorville. Both KTOT and Y102 do not produce audible, or listenable signals in Central San Bernardino. In Los Angeles the closest stations are KJLH 102.3, KIIS 102.7 and KOST 103.5 FM. KJLH, KIIS, and KOST all produce shadow signals in this area that skip and splatter and are well below a decibel level that would produce an enjoyable signal for the listener. There are no stations at 102.5 FM in a one hundred mile radius. The nearest radio station at 102.5 FM is licensed to Mexico. Because of geographic conditions, the Mexican station has no signal present in the San Bernardino Valley.

102.5 FM was also chosen by using a sensitive receiver at the center, at the furthest points of radiation in each direction, and at several points inside of the would-be signal's circle of radiation to determine that 102.5 FM was one of the most quiet and interference-free frequencies in the area.

In addition, experimental short-term broadcasts as allowed under federal law at, and, slightly above the prescribed field strength have shown that PRIDE Radio's transmitting device broadcasts well within 100 kHz on the frequency of 102.5 FM, and is far within the guidelines outlined in Part 15, Rule 15.239 which states that the bandwith be no larger than 200 kHz within the frequency. Because of the small bandwidth Pride 102.5 FM presents absolutely no interference at all to neighboring frequencies or any radio station between 88 to 108 Mhz. We have had no complaints of harmful interference from any licensed commercial radio stations, and have had no complaints from any other commercial, government, military, air traffic, police or fire radio FM spectrum radio users.

Att. #9 (cont.)

EQUIPMENT AUTHORIZATION

3 All Equipment used to produce Pride 102.5 FM's signal is industry-built, and is used by hundreds of radio stations across the United States. All of this equipment is type accepted and built by well known and responsible manufactures of radio equipment. In each case the prototype equipment that has been marketed has already gone through the FCC Equipment Authorization Program and is duly indicated. Pride 102.5 FM uses no kit-built parts what-so-ever. However, all model, and serial numbers are provided below in the outline of Pride 102.5 FM's audio and transmitting chain.

EQUIPMENT LABELING

4. Although not necessary by law, a copy of all applicable FCC Rules has been placed and attached to the transmitting device in case of any disputes. As required by FCC Rule 15.19 the following statement has been attached to the common point of transmission on the transmitter in a conspicuous place:

> "This device complies with part 15 of FCC Rules. Operation is subject to the following two conditions: (1) This device may not cause harmful interference, and (2) this device must accept any interference received by a licensed broadcast station, including interference that may cause undesired operation."

METHOD OF TRANSMISSION

5. PRIDE 102.5 FM shall use a Rockwell/Collins Exciter as it's main transmission device. This radiator is the Collins 310z-2 model FM exciter. The following numbers indicate serial number and authorization numbers:

6367270001
622-2374-001 785 E-1

In addition, a resistor network of two carbon wound 30 ohm resistors, and one 27 ohm carbon wound resistors shall be built into the transmission cable between the transmitting device and the antenna to lower the power to the acceptable levels as defined in Part 15.

Att. #9 (cont.)

Also employed in the audio chain is a Mosely Brand Stereo Generator, Model SCG-3T, Serial Number 2972. The Mosely Stereo Generator is coupled with an Aphex Systems Brand Studio Dominator/Limiter to insure proper audio levels into the Collins Exciter. The Aphex Systems Studio Dominator is Model 700, Serial Number AXD 1937.

METHOD OF TRANSMISSION

The Exicter/Transmiter is all fed by a Ross Systems 8 x 2 mixing console Serial number 90050139. Various consumer electronics devices purchased in the average buyer's marketplace feed the console.

ANTENNA SYSTEM

Pride 102.5 FM employs a unique two antenna system with the power being divided nearly equally between the two antennae. The first antenna is a Scala Brand HDCA-10H directional yagi antenna, coupled via a 75 ohm cable splitter to a bi-pole horizontally polarized omni directional antenna attached to a Tower approximately 52 feet in height, 600 feet above average terrain.

This report was compiled by Mark Westwood, Operations Manager, Pride 102.5 FM, San Bernardino, Ca. The contents of this report to the best of this Operator's knowledge are true and correct as of the date of this report. Any Questions may be addressed to Pride 102.5 FM, PO Box 2775, San Bernardino, Ca., 92406, or in person by calling (909) 384-1940.

S/Mark Westwood.

Att. #9 (cont.)

ral Communications Commission
Field Operations Bureau
4542 Ruffner Street, Room 370
San Diego, Calif. 92111-2216

5.37

OFFICIAL BUSINESS
Penalty For Private Use, $300

HELP US FIND
GARRISON
Missing: From: Cincinnati
D.O.B. 11-[illegible] Sex: Mal
Hair: Blonde Eyes: Blu
Height: 2 ft. 6 in. Weight: 35
Race: White
If you have information, please call
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NATIONAL CENTER FOR MISSING &
EXPLOITED CHILDREN

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NOV-[illegible]

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M. Westwood
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San Bernardino, CA
92404

P 224 844 493

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No Insurance Coverage Provided
Do not use for International Mail
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Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.00
Return Receipt Showing to Whom, Date, and Address of Delivery	
TOTAL Postage & Fees	$3.21
Postmark or Date	SAN BERNARDINO, CALIF. NOV 18 1993 USPS

PS Form 3800, June 1991

AH. #10

ıtegy, nor does this provision mit any type of operation other n a determination of compliance h the regulations. During this test- , the provisions of §§ 15.5 and 205 apply.

5.9 Prohibition against eavesdropping.

Except for the operations of law enforcement officers conducted under ful authority, no person shall use, her directly or indirectly, a device erated pursuant to the provisions of s part for the purpose of overhear- or recording the private conversa- ns of others unless such use is au- orized by all of the parties engaging the conversation.

5.11 Cross reference.

The provisions of subparts A, H, I, J d K of part 2 apply to intentional d unintentional radiators, in addi- n to the provisions of this part. so, a cable system terminal device d a cable input selector switch shall subject to the relevant provisions of rt 76 of this chapter.

5.13 Incidental radiators.

Manufacturers of these devices shall nploy good engineering practices to inimize the risk of harmful interfer- ice.

15.15 General technical requirements.

(a) An intentional or unintentional adiator shall be constructed in ac- rdance with good engineering design id manufacturing practice. Emana- ons from the device shall be sup- ressed as much as practicable, but in o case shall the emanations exceed ie levels specified in these rules.

(b) An intentional or unintentional adiator must be constructed such hat the adjustments of any control hat is readily accessible by or intend- d to be accessible to the user will not ause operation of the device in viola- ion of the regulations.

(c) Parties responsible for equipment ompliance should note that the limits pecified in this part will not prevent harmful interference under all circum- tances. Since the operators of part 15 levices are required to cease operation hould harmful interference occur to uthorized users of the radio frequen- cy spectrum, the parties responsible for equipment compliance are encouraged to employ the minimum field strength necessary for communications, to provide greater attenuation of unwanted emissions than required by these regulations, and to advise the user as to how to resolve harmful interference problems (for example, see § 15.105(b)).

§ 15.17 Susceptibility to interference.

(a) Parties responsible for equipment compliance are advised to consider the proximity and the high power of non-Government licensed radio stations, such as broadcast, amateur and land mobile stations, and of U.S. Government radio stations when choosing operating frequencies during the design of their equipment so as to reduce the susceptibility for receiving harmful interference. Information on non-Government use of the spectrum can be obtained by consulting the Table of Frequency Allocations in § 2.106 of this chapter.

(b) Information on U.S. Government operations can be obtained by contacting: Director, Spectrum Plans and Policy, National Telecommunications and Information Administration, Department of Commerce, Room 4096, Washington, DC 20230.

§ 15.19 Labelling requirements.

(a) In addition to the requirements in part 2 of this chapter, a device subject to certification, notification, or verification shall be labelled as follows:

(1) Receivers associated with the operation of a licensed radio service, e.g., FM broadcast under part 73 of this chapter, land mobile operation under part 90, etc., shall bear the following statement in a conspicuous location on the device:

This device complies with part 15 of the FCC Rules. Operation is subject to the condition that this device does not cause harmful interference.

(2) A stand-alone cable input selector switch, shall bear the following statement in a conspicuous location on the device:

This device is verified to comply with part 15 of the FCC Rules for use with cable television service.

(3) All other devices shall bear the following statement in a conspicuous location on the device:

This device complies with part 15 of the FCC Rules. Operation is subject to the following two conditions: (1) This device may not cause harmful interference, and (2) this device must accept any interference received, including interference that may cause undesired operation.

(b) Where a device is constructed in two or more sections connected by wires and marketed together, the statement specified in this section is required to be affixed only to the main control unit.

(c) When the device is so small or for such use that it is not practicable to place the statement specified in this section on it, the information required by these paragraphs shall be placed in a prominent location in the instruction manual or pamphlet supplied to the user or, alternatively, shall be placed on the container in which the device is marketed. However, the FCC identifier or the unique identifier, as appropriate, must be displayed on the device.

§ 15.21 Information to user.

The users manual or instruction manual for an intentional or unintentional radiator shall caution the user that changes or modifications not expressly approved by the party responsible for compliance could void the user's authority to operate the equipment.

§ 15.23 Home-built devices.

(a) Equipment authorization is not required for devices that are not marketed, are not constructed from a kit, and are built in quantities of five or less for personal use.

(b) It is recognized that the individual builder of home-built equipment may not possess the means to perform the measurements for determining compliance with the regulations. In this case, the builder is expected to employ good engineering practices to meet the specified technical standards to the greatest extent practicable. The provisions of § 15.5 apply to this equipment.

§ 15.25 Kits.

A TV interface device, including a cable system terminal device, which is marketed as a kit shall comply with the following requirements:

(a) All parts necessary for the assembled device to comply with the technical requirements of this part must be supplied with the kit. No mechanism for adjustment that can cause operation in violation of the requirements of this part shall be made accessible to the builder.

(b) At least two units of the kit shall be assembled in exact accordance with the instructions supplied with the product to be marketed. If all components required to fully complete the kit (other than those specified in paragraph (a) of this section which are needed for compliance with the technical provisions and must be included with the kit) are not normally furnished with the kit, assembly shall be made using the recommended components. The assembled units shall be certified or notified, as appropriate, pursuant to the requirements of this part.

(1) The measurement data required for a TV interface device subject to certification shall be obtained for each of the two units and submitted with an application for certification pursuant to subpart J of part 2 of this chapter.

(2) The measurement data required for a TV interface device subject to notification shall be obtained for the units tested and retained on file pursuant to the provisions of subpart J of part 2 of this chapter.

(c) A copy of the exact instructions that will be provided for assembly of the device shall be submitted with an application for certification or notification. Those parts which are not normally furnished shall be detailed in the application for equipment authorization.

(d) In lieu of the label required by § 15.19, the following label, along with the label bearing the FCC identifier and other information specified in §§ 2.925 and 2.926, shall be included in

c kit with instructions to the builder at it shall be attached to the com-eted kit:

(Name of Grantee)

(FCC Identifier)

This device can be expected to comply 'h part 15 of the FCC Rules provided it is :embled in exact accordance with the in-uctions provided with this kit. Operation subject to the following conditions: (1) ds device may not cause harmful interfer-ce, and (2) this device must accept any in-ference received including interference at may cause undesired operation.

(e) For the purpose of this section, 'cuit boards used as repair parts for e replacement of electrically identi-l defective circuit boards are not nsidered to be kits.

5.27 Special accessories.

(a) Equipment marketed to a con-mer must be capable of complying th the necessary regulations in the nfiguration in which the equipment marketed. Where special accessories, ch as shielded cables and/or special nnectors, are required to enable an intentional or intentional radiator comply with the emission limits in is part, the equipment must be mar-ted with, i.e., shipped and sold with, ose special accessories. However, in u of shipping or packaging the spe-al accessories with the unintentional intentional radiator, the responsible rty may employ other methods of suring that the special accessories e provided to the consumer, without ditional charge, at the time of pur-ase. Information detailing any alter-ative method used to supply the spe-al accessories shall be included in the pplication for a grant of equipment uthorization or retained in the verifi-tion records, as appropriate. The arty responsible for the equipment, s detailed in § 2.909 of this chapter, hall ensure that these special accesso-ies are provided with the equipment. he instruction manual for such de-ices shall include appropriate instruc-ons on the first page of the text con-erned with the installation of the evice that these special accessories ust be used with the device. It is the esponsibility of the user to use the needed special accessories supplied with the equipment.

(b) If a device requiring special accessories is installed by or under the supervision of the party marketing the device, it is the responsibility of that party to install the equipment using the special accessories. For equipment requiring professional installation, it is not necessary for the responsible party to market the special accessories with the equipment. However, the need to use the special accessories must be detailed in the instruction manual, and it is the responsibility of the installer to provide and to install the required accessories.

(c) Accessory items that can be readily obtained from multiple retail outlets are not considered to be special accessories and are not required to be marketed with the equipment. The manual included with the equipment must specify what additional components or accessories are required to be used in order to ensure compliance with this part, and it is the responsibility of the user to provide and use those components and accessories.

(d) The resulting system, including any accessories or components marketed with the equipment, must comply with the regulations.

§ 15.29 Inspection by the Commission.

(a) Any equipment or device subject to the provisions of this part, together with any certificate, notice of registration or any technical data required to be kept on file by the operator, supplier or party responsible for compliance of the device shall be made available for inspection by a Commission representative upon reasonable request.

(b) The owner or operator of a radio frequency device subject to this part shall promptly furnish to the Commission or its representative such information as may be requested concerning the operation of the radio frequency device.

(c) The party responsible for the compliance of any device subject to this part shall promptly furnish to the Commission or its representatives such information as may be requested concerning the operation of the device, including a copy of any measurements

made for obtaining an equipment authorization or demonstrating compliance with the regulations.

(d) The Commission, from time to time, may request the party responsible for compliance, including an importer, to submit to the FCC Laboratory in Columbia, Maryland, various equipment to determine that the equipment continues to comply with the applicable standards. Shipping costs to the Commission's Laboratory and return shall be borne by the responsible party. Testing by the Commission will be performed using the measurement procedure(s) that was in effect at the time the equipment was authorized or verified.

§ 15.31 Measurement standards.

(a) The following measurement procedures are used by the Commission to determine compliance with the technical requirements in this Part. Except where noted, copies of these procedures are available from the Commission's current duplicating contractor whose name and address are available from the Commission's Consumer Assistance Office at 202-632-7000.

(1) FCC/OET MP-1: FCC Methods of Measurements for Determining Compliance of Radio Control and Security Alarm Devices and Associated Receivers.

(2) FCC/OET MP-2: Measurement of UHF Noise Figures of TV Receivers.

(3) FCC/OET MP-3: FCC Methods of Measurements of Output Signal Level, Output Terminal Conducted Spurious Emissions, Transfer Switch Characteristics and Radio Noise Emissions from TV Interface Devices.

(4) FCC/OET MP-4 (1987): FCC Procedure for Measuring RF Emissions from Computing Devices

NOTE: This procedure may be used only on digital devices for which verification is obtained or an application for certification is filed, before May 1, 1994. For compliance testing of digital devices on or after May 1, 1994, see paragraph (5) of this section.

(5) Digital devices for which verification is obtained, or an application for certification is filed, on or after May 1, 1994, are to be measured for compliance using the following procedure excluding section 5.7, section 9 and section 15: American National Standards Institute (ANSI) C63.4-1991, entitled "Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz," published by the Institute of Electrical and Electronics Engineers, Inc. on March 21, 1991, with a correction sheet dated July 2, 1991, as document number SH13896. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The Commission encourages the use of this procedure for testing digital devices as soon as practical. Copies of ANSI C63.4-1991 may be obtained from: IEEE Standards Department, 445 Hoes Lane, P.O. Box 1331, Piscataway, NJ 08855-1331, Telephone 1 800 678-4333. Copies of ANSI C63.4-1991 may be inspected during normal business hours at the following locations: (i) Federal Communications Commission, 1919 M Street NW., Dockets Branch (room 239), Washington, DC. (ii) Federal Communications Commission, 2025 M Street NW., Office of Engineering and Technology (room 7002), Washington, DC or (iii) Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(6) FCC/OET MP-9: FCC Procedures for Measuring Cable Television Switch Isolation.

(b) All parties making compliance measurements on equipment subject to the requirements of this part are urged to use these measurement procedures. Any party using other procedures should ensure that such other procedures can be relied on to produce measurement results compatible with the FCC measurement procedures. The description of the measurement procedure used in testing the equipment for compliance and a list of the test equipment actually employed shall be made part of an application for certification or included with the data required to be retained by the party responsible for devices subject to notification or verification.

(c) For swept frequency equipment, measurements shall be made with the frequency sweep stopped at those frequencies chosen for the measurements to be reported.

tional Electrotechnical Commission. As an alternative to CISPR quasi-peak measurements, the responsible party, at its option, may demonstrate compliance with the emission limits using measuring equipment employing a peak detector function, properly adjusted for such factors as pulse desensitization, as long as the same bandwidths as indicated for CISPR quasi-peak measurements are employed.

NOTE: For pulse modulated devices with a pulse-repetition frequency of 20 Hz or less and for which CISPR quasi-peak measurements are specified, compliance with the regulations shall be demonstrated using measuring equipment employing a peak detector function, properly adjusted for such factors as pulse desensitization, using the same measurement bandwidths that are indicated for CISPR quasi-peak measurements.

(b) On any frequency or frequencies above 1000 MHz, the radiated limits shown are based on the use of measurement instrumentation employing an average detector function. When average radiated emission measurements are specified in the regulations, including emission measurements below 1000 MHz, there is also a limit on the radio frequency emissions, as measured using instrumentation with a peak detector function, corresponding to 20 dB above the maximum permitted average limit for the frequency being investigated. Measurements of AC power line conducted emissions are performed using a CISPR quasi-peak detector, even for devices for which average radiated emission measurements are specified.

(c) When the radiated emission limits are expressed in terms of the average value of the emission, and pulsed operation is employed, the measured field strength shall be determined by averaging over one complete pulse train, including blanking intervals, as long as the pulse train does not exceed 0.1 seconds. As an alternative (provided the transmitter operates for longer than 0.1 seconds) or in those cases where the pulse train exceeds 0.1 seconds, the measured field strength shall be determined from the average absolute voltage during a 0.1 second interval during which the field strength is at its maximum value. The exact method of calculating the average field strength shall be submitted with any application for certification or shall be retained in the measurement data file for equipment subject to notification or verification.

[54 FR 17714, Apr. 25, 1989, as amended at 56 FR 13083, Mar. 29, 1991]

§ 15.37 Transition provisions for compliance with the rules.

Equipment may be authorized, manufactured and imported under the rules in effect prior to June 23, 1989, in accordance with the following schedules:

(a) *For all intentional and unintentional radiators, except for receivers:* Radio frequency equipment verified by the responsible party or for which an application for a grant of equipment authorization is submitted to the Commission on or after June 23, 1992, shall comply with the regulations specified in this part. Radio frequency equipment that is manufactured or imported on or after June 23, 1994, shall comply with the regulations specified in this part.

(b) *For receivers:* Receivers subject to the regulations in this part that are manufactured or imported on or after June 23, 1999, shall comply with the regulations specified in this part. However, if a receiver is associated with a transmitter that could not have been authorized under the regulations in effect prior to June 23, 1989, e.g., a transmitter operating under the provisions of §§ 15.209 or 15.249 (below 960 MHz), the transition provisions in this section do not apply. Such receivers must comply with the regulations in this part.

(c) There are no restrictions on the operation or marketing of equipment complying with the regulations in effect prior to June 23, 1989.

(d) Prior to May 25, 1991, person shall import, market or operate intentional radiators within the band 902-905 MHz under the provisions of § 15.249. Until that date, the Commission will not issue a grant of equipment authorization for equipment operating under § 15.249 if the equipment is designed to permit operation within the band 902-905 MHz

(e) For cordless telephones: The manufacture and importation of cordless telephones not complying with § 15.214(d) of this part shall cease on or before September 11, 1991. These provisions will not apply to cordless telephones which are repaired or refurbished, or re-imported after repair or refurbishment. Applications for a grant of equipment authorization of cordless telephones not complying with § 15.214(d) of this part will not be accepted by the Commission after May 10, 1991. Cordless telephones that have previously received equipment authorization and that, without modification, already comply with the requirements of § 15.214(d) of this part, need not be reauthorized.

[54 FR 17714, Apr. 25, 1989; 54 FR 32339, Aug. 7, 1989; 55 FR 25095, June 20, 1990; 56 FR 3785, Jan. 31, 1991]

Subpart B—Unintentional Radiators

§ 15.101 Equipment authorization of unintentional radiators.

(a) Except as otherwise exempted in §§ 15.23, 15.103, and 15.113, unintentional radiators shall be authorized by the Commission or verified prior to the initiation of marketing, as follows:

Type of device	Equipment authorization required [1]
TV broadcast receiver	Verification
FM broadcast receiver	Do
CB receiver	Certification
Superregenerative receiver	Do
Scanning receiver	Do
All other receivers subject to part 15	Notification
TV interface device	Certification
Cable system terminal device	Notification
Stand alone cable input selector switch	Verification
Class B personal computers & peripherals	Certification
Other Class B digital devices & peripherals	Verification
Class A digital devices & peripherals	Do
External switching power supplies	Do
All other devices	Do

[1] See additional provisions in this section and in § 15.103 of this part

(b) Only those receivers that operate (tune) within the frequency range of 30-960 MHz and CB receivers are subject to the authorizations shown in paragraph (a) of this section. However, receivers indicated as being subject to notification that are contained within a transceiver, the transmitter portion of which is subject to type acceptance, certification or notification, shall be authorized under the verification procedure. Receivers operating above 960 MHz or below 30 MHz, except for CB receivers, are exempt from complying with the technical provisions of this part but are subject to § 15.5.

(c) Personal computer mother boards (the circuit board performing the central processing) that are marketed assembled with an enclosure and a power supply must be certificated with that enclosure and power supply.

(d) Peripheral devices, as defined in § 15.3(r), shall be certified or verified, as appropriate, prior to marketing. However, if a peripheral always will be marketed with a specific personal computer, it is not necessary to obtain a separate grant of certification for that peripheral, provided the specific combination of personal computer and peripheral has received a grant of certification.

(e) Subassemblies to digital devices are not subject to the technical standards in this part unless they are marketed as part of a system in which case the resulting system must comply with the applicable regulations. Subassemblies include: Those devices that are enclosed solely within the enclosure housing the digital device and are not included in the definition of peripherals in § 15.3(r), such as internal disc drives and memory expansion units; digital devices marketed to another manufacturer to be incorporated into a final product; circuit boards containing the central processing unit that are marketed without an enclosure or power supply; and, switching power supplies that are separately marketed and are solely for use internal to a digital device.

(f) The procedures for obtaining a grant of certification or notification and for verification are contained in subpart J of part 2 of this chapter.

§ 15.103 Exempted devices.

The following devices are subject only to the general conditions of operation in §§ 15.5 and 15.29 and are exempt from the specific technica

Subpart C—Intentional Radiators

§ 15.201 Equipment authorization requirement.

(a) Intentional radiators operated as carrier current systems and devices operated under the provisions of §§ 15.211, 15.213 and 15.221 shall be verified pursuant to the procedures in subpart J of part 2 of this chapter prior to marketing.

(b) Except as otherwise exempted in paragraph (c) of this section and in § 15.23 of this part, all intentional radiators operating under the provisions of this part shall be certificated by the Commission pursuant to the procedures in subpart J of part 2 of this chapter prior to marketing.

(c) For devices such as perimeter protection systems which, in accordance with § 15.31(d), are required to be measured at the installation site, each application for certification must be accompanied by a statement indicating that the system has been tested at three installations and found to comply at each installation. Until such time as certification is granted, a given installation of a system that was measured for the submission for certification will be considered to be in compliance with the provisions of this chapter, including the marketing regulations in subpart I of part 2 of this chapter, if tests at that installation show the system to be in compliance with the relevant technical requirements. Similarly, where measurements must be performed on site for equipment subject to verification, a given installation that has been verified to demonstrate compliance with the applicable standards will be considered to be in compliance with the provisions of this chapter, including the marketing regulations in subpart I of part 2 of this chapter.

(d) For perimeter protection systems operating in the frequency bands allocated to television broadcast stations operating under part 73 of this chapter, the holder of the grant of certification must test each installation prior to initiation of normal operation to verify compliance with the technical standards and must maintain a list of all installations and records of measurements. For perimeter protection systems operating outside of the frequency bands allocated to television broadcast stations, upon receipt of a grant of certification, further testing of the same or similar type of system or installation is not required.

§ 15.203 Antenna requirement.

An intentional radiator shall be designed to ensure that no antenna other than that furnished by the responsible party shall be used with the device. The use of a permanently attached antenna or of an antenna that uses a unique coupling to the intentional radiator shall be considered sufficient to comply with the provisions of this section. The manufacturer may design the unit so that a broken antenna can be replaced by the user, but the use of a standard antenna jack or electrical connector is prohibited. This requirement does not apply to carrier current devices or to devices operated under the provisions of §§ 15.211, 15.213, 15.217, 15.219, or 15.221. Further, this requirement does not apply to intentional radiators that must be professionally installed, such as perimeter protection systems and some field disturbance sensors, or to other intentional radiators which, in accordance with § 15.31(d), must be measured at the installation site. However, the installer shall be responsible for ensuring that the proper antenna is employed so that the limits in this part are not exceeded.

[54 FR 17714, Apr. 25, 1989, as amended at 55 FR 28762, July 13, 1990]

§ 15.205 Restricted bands of operation.

(a) Except as shown in paragraph (d) of this section, only spurious emissions are permitted in any of the frequency bands listed below:

MHz	MHz	MHz	GHz
0.090-0.110	156.7-156.9	2200-2300	9.0-9.2
0.49-0.51	162.0125-167.17	2310-2390	9.3-9.5
2.1735-2.1905	167.72-173.2	2483.5-2500	10.6-12.7

MHz	MHz	MHz	GHz
8.362-8.366	240-285	2655-2900	13.25-13.4
13.36-13.41	322-335.4	3260-3267	14.47-14.5
25.5-25.67	399.9-410	3332-3339	15.35-16.2
37.5-38.25	608-614	3345.8-3358	17.7-21.4
73-74.6	960-1240	3600-4400	22.01-23.12
74.8-75.2	1300-1427	4500-5250	23.6-24.0
108-121.94	1435-1626.5	5350-5460	31.2-31.8
123-138	1660-1710	7250-7750	36.43-36.5
149.9-150.05	1718.8-1722.2	8025-8500	Above 38.6

(b) Except as provided in paragraphs (d) and (e) of this section, the field strength of emissions appearing within these frequency bands shall not exceed the limits shown in § 15.209. At frequencies equal to or less than 1000 MHz, compliance with the limits in § 15.209 shall be demonstrated using measurement instrumentation employing a CISPR quasi-peak detector. Above 1000 MHz, compliance with the emission limits in § 15.209 shall be demonstrated based on the average value of the measured emissions. The provisions in § 15.35 apply to these measurements.

(c) Except as provided in paragraphs (d) and (e) of this section, regardless of the field strength limits specified elsewhere in this subpart, the provisions of this section apply to emissions from any intentional radiator.

(d) The following devices are exempt from the requirements of this section:

(1) Swept frequency field disturbance sensors operating between 1.705 and 37 MHz provided their emissions only sweep through the bands listed in paragraph (a) of this section, the sweep is never stopped with the fundamental emission within the bands listed in paragraph (a) of this section, and the fundamental emission is outside of the bands listed in paragraph (a) of this section more than 99% of the time the device is actively transmitting, without compensation for duty cycle.

(2) Transmitters used to detect buried electronic markers at 101.4 kHz which are employed by telephone companies.

(3) Cable locating equipment operated pursuant to § 15.213.

(e) Harmonic emissions appearing in the restricted bands above 17.7 GHz from field disturbance sensors operating under the provisions of § 15.245 shall not exceed the limits specified in § 15.245(b).

[54 FR 17714, Apr. 25, 1989, as amended at 55 FR 46791, Nov. 7, 1990; 56 FR 6288, Feb. 15, 1991; 57 FR 13048, Apr. 15, 1992]

§ 15.207 Conducted limits.

(a) For an intentional radiator which is designed to be connected to the public utility (AC) power line, the radio frequency voltage that is conducted back onto the AC power line on any frequency or frequencies within the band 450 kHz to 30 MHz shall not exceed 250 microvolts. Compliance with this provision shall be based on the measurement of the radio frequency voltage between each power line and ground at the power terminals.

(b) The limit shown in paragraph (a) of this section shall not apply to carrier current systems operating as intentional radiators on frequencies below 30 MHz. In lieu thereof, these carrier current systems shall be subject to the following standards:

(1) For carrier current systems containing their fundamental emission within the frequency band 535-1705 kHz and intended to be received using a standard AM broadcast receiver: no limit on conducted emissions.

(2) For all other carrier current systems: 1000 uV within the frequency band 535-1705 kHz.

(3) Carrier current systems operating below 30 MHz are also subject to the radiated emission limits in §§ 15.205, 15.209, 15.221, 15.223, 15.225 or 15.227, as appropriate.

(c) Measurements to demonstrate compliance with the conducted limits are not required for devices which only employ battery power for operation and which do not operate from the AC power lines or contain provisions for operation while connected to

Fundamental frequency (MHz)	Field strength of fundamental (microvolts/meter)	Field strength of spurious emission (microvolts/meter)
Above 470	5,000	500

[1] Linear interpolations

In addition, devices operated under the provisions of this paragraph shall be provided with a means for automatically limiting operation so that the duration of each transmission shall not be greater than one second and the silent period between transmissions shall be at least 30 times the duration of the transmission but in no case less than 10 seconds.

[54 FR 17714, Apr. 25, 1989; 54 FR 32340, Aug. 7, 1989]

§ 15.233 Operation within the bands 46.60-46.98 MHz and 49.66-50.0 MHz.

(a) The provisions shown in this section are restricted to cordless telephones.

(b) An intentional radiator used as part of a cordless telephone system shall operate on one or more of the following frequency pairs:

Channel	Base transmitter (MHz)	Handset transmitter (MHz)
1	46.610	49.670
2	46.630	49.845
3	46.670	49.860
4	46.710	49.770
5	46.730	49.875
6	46.770	49.830
7	46.830	49.890
8	46.870	49.930
9	46.930	49.990
10	46.970	49.970

(c) The field strength of the fundamental emission shall not exceed 10,000 microvolts/meter at 3 meters. The emission limit in this paragraph is based on measurement instrumentation employing an average detector. The provisions in § 15.35 for limiting peak emissions apply.

(d) The fundamental emission shall be confined within a 20 kHz band centered on the actual carrier frequency listed in paragraph (b), as adjusted by the frequency tolerance of the transmitter at the time testing is performed. Modulation products outside of this 20 kHz band shall be attenuated at least 26 dB below the level of the unmodulated carrier or to the general limits in § 15.209, whichever permits the higher emission levels. Emissions on any frequency more than 10 kHz removed from this 20 kHz band shall consist solely unwanted emissions and shall not exceed the general radiated emission limits in § 15.209. Tests to determine compliance with this requirement shall be performed using an appropriate input signal as prescribed in § 2.989 of this chapter.

(e) All emissions exceeding 20 microvolts/meter at 3 meters are to be reported in the application for certification.

(f) If the device provides for the connection of external accessories, including external electrical input signals, the device must be tested with the accessories attached. The emission tests shall be performed with the device and accessories configured in a manner which tends to produce the maximum level of emissions within the range of variations that can be expected under normal operating conditions.

(g) The frequency tolerance of the carrier signal shall be maintained within ±0.01% of the operating frequency. The tolerance shall be maintained for a temperature variation of −20 degrees C to +50 degrees C at normal supply voltage, and for variation in the primary voltage from 85% to 115% of the rated supply voltage at a temperature of 20 degrees C. For battery operated equipment, the equipment tests shall be performed using a new battery.

(h) For cordless telephones that do not comply with § 15.214(d) of this part, the box or other package in which the individual cordless telephone is to be marketed shall carry a statement in a prominent location, visible to the buyer before purchase, which reads as follows:

NOTICE: The base units of some cordless telephones may respond to other nearby units or to radio noise resulting in telephone calls being dialed through this unit without your knowledge and possibly calls being misbilled. In order to protect against such occurrences, this cordless telephone is provided with the following features: (to be completed by the responsible party).

An application for certification of a cordless telephone shall specify the complete text of the statement that will be carried on the package and indicate where, specifically, it will be located on the carton.

[54 FR 17714, Apr. 25, 1989; 54 FR 32340, Aug. 7, 1989, as amended at 56 FR 3785, Jan. 31, 1991; 56 FR 5659, Feb. 12, 1991]

§ 15.235 Operation within the band 49.82-49.90 MHz.

(a) The field strength of any emission within this band shall not exceed 10,000 microvolts/meter at 3 meters. The emission limit in this paragraph is based on measurement instrumentation employing an average detector. The provisions in § 15.35 for limiting peak emissions apply.

(b) The field strength of any emissions appearing between the band edges and up to 10 kHz above and below the band edges shall be attenuated at least 26 dB below the level of the unmodulated carrier or to the general limits in § 15.209, whichever permits the higher emission levels. The field strength of any emissions removed by more than 10 kHz from the band edges shall not exceed the general radiated emission limits in § 15.209. All signals exceeding 20 microvolts/meter at 3 meters shall be reported in the application for certification.

(c) For a home-built intentional radiator, as defined in § 15.23(a), operating within the band 49.82-49.90 MHz, the following standards may be employed:

(1) The RF carrier and modulation products shall be maintained within the band 49.82-49.90 MHz.

(2) The total input power to the device measured at the battery or the power line terminals shall not exceed 100 milliwatts under any condition of modulation.

(3) The antenna shall be a single element, one meter or less in length, permanently mounted on the enclosure containing the device.

(4) Emissions outside of this band shall be attenuated at least 20 dB below the level of the unmodulated carrier.

(5) The regulations contained in § 15.23 of this part apply to intentional radiators constructed under the provisions of this paragraph.

(d) Cordless telephones are not permitted to operate under the provisions of this section.

§ 15.237 Operation in the bands 72.0-73.0 MHz, 74.6-74.8 MHz and 75.2-76.0 MHz.

(a) The intentional radiator shall be restricted to use as an auditory assistance device.

(b) Emissions from the intentional radiator shall be confined within a band 200 kHz wide centered on the operating frequency. The 200 kHz band shall lie wholly within the above specified frequency ranges.

(c) The field strength of any emissions within the permitted 200 kHz band shall not exceed 80 millivolts/meter at 3 meters. The field strength of any emissions radiated on any frequency outside of the specified 200 kHz band shall not exceed 1500 microvolts/meter at 3 meters. The emission limits in this paragraph are based on measurement instrumentation employing an average detector. The provisions in § 15.35 for limiting peak emissions apply.

[54 FR 17714, Apr. 25, 1989, as amended at 57 FR 13048, Apr. 15, 1992]

§ 15.239 Operation in the band 88-108 MHz.

(a) Emissions from the intentional radiator shall be confined within a band 200 kHz wide centered on the operating frequency. The 200 kHz band shall lie wholly within the frequency range of 88-108 MHz.

(b) The field strength of any emissions within the permitted 200 kHz band shall not exceed 250 microvolts/meter at 3 meters. The emission limit in this paragraph is based on measurement instrumentation employing an average detector. The provisions in § 15.35 for limiting peak emissions apply.

(c) The field strength of any emissions radiated on any frequency outside of the specified 200 kHz band shall not exceed the general radiated emission limits in § 15.209.

(d) A custom built telemetry intentional radiator operating in the frequency band 88-108 MHz and used for experimentation by an educational in

stitute need not be certified provided the device complies with the standards in this part and the educational institution notifies the Engineer in Charge of the local FCC office, in writing, in advance of operation, providing the following information:

(1) The dates and places where the device will be operated;

(2) The purpose for which the device will be used;

(3) A description of the device, including the operating frequency, RF power output, and antenna; and,

(4) A statement that the device complies with the technical provisions of this part.

[54 FR 17714, Apr. 25, 1989; 54 FR 32340, Aug. 7, 1989]

§ 15.211 Operation in the band 171–216 MHz.

(a) Operation under the provisions of this section is restricted to biomedical telemetry devices.

(b) Emissions from the device shall be confined within a 200 kHz band which shall lie wholly within the frequency range of 174–216 MHz.

(c) The field strength of any emissions radiated within the specified 200 kHz band shall not exceed 1500 microvolts/meter at 3 meters. The field strength of emissions radiated on any frequency outside of the specified 200 kHz band shall not exceed 150 microvolts/meter at 3 meters. The emission limits in this paragraph are based on measurement instrumentation employing an average detector. The provisions in § 15.35 for limiting peak emissions apply.

§ 15.213 Operation in the band 890–940 MHz.

(a) Operation under the provisions of this section is restricted to devices that use radio frequency energy to measure the characteristics of a material. Devices operated pursuant to the provisions of this section shall not be used for voice communications or the transmission of any other type of message.

(b) The field strength of any emissions radiated within the specified frequency band shall not exceed 500 microvolts/meter at 30 meters. The emission limit in this paragraph is based on measurement instrumentation employing an average detector. The provisions in § 15.35 for limiting peak emissions apply.

(c) The field strength of emissions radiated on any frequency outside of the specified band shall not exceed the general radiated emission limits in § 15.209.

(d) The device shall be self-contained with no external or readily accessible controls which may be adjusted to permit operation in a manner inconsistent with the provisions in this section. Any antenna that may be used with the device shall be permanently attached thereto and shall not be readily modifiable by the user.

§ 15.215 Operation within the bands 902–928 MHz, 2435–2465 MHz, 5785–5815 MHz, 10500–10550 MHz, and 24075–24175 MHz.

(a) Operation under the provisions of this section is limited to intentional radiators used as field disturbance sensors, excluding perimeter protection systems.

(b) The field strength of emissions from intentional radiators operated within these frequency bands shall comply with the following:

Fundamental frequency (MHz)	Field strength of fundamental (millivolts/meter)	Field strength of harmonics (millivolts/meter)
902–928	500	1.6
2435–2465	500	1.6
5785–5815	500	1.6
10500–10550	2500	25.0
24075–24175	2500	25.0

(1) Regardless of the limits shown in the above table, harmonic emissions in the restricted bands below 17.7 GHz, as specified in § 15.205, shall not exceed the field strength limits shown in § 15.209. Harmonic emissions in the restricted bands at and above 17.7 GHz, and below 40 GHz, shall not exceed the following field strength limits:

(i) For field disturbance sensors designed for use only within a building or to open building doors, 25.0 mV/m.

(ii) For all other field disturbance sensors, 7.5 mV/m.

(iii) Field disturbance sensors designed to be used in motor vehicles or aircraft must include features to prevent continuous operation unless their emissions in the restricted bands fully comply with the limits given in § 15.209. Continuous operation of field disturbance sensors designed to be used in farm equipment, vehicles such as fork lifts that are intended primarily for use indoors or for very specialized operations, or railroad locomotives, railroad cars and other equipment which travels on fixed tracks is permitted. A field disturbance sensor will be considered not to be operating in a continuous mode if its operation is limited to specific activities of limited duration (e.g., putting a vehicle into reverse gear, activating a turn signal, etc.).

(2) Field strength limits are specified at a distance of 3 meters.

(3) Emissions radiated outside of the specified frequency bands, except for harmonics, shall be attenuated by at least 50 dB below the level of the fundamental or to the general radiated emission limits in Section 15.209, whichever is the lesser attenuation.

(4) The emission limits shown above are based on measurement instrumentation employing an average detector. The provisions in § 15.35 for limiting peak emissions apply.

[54 FR 17714, Apr. 25, 1989, as amended at 55 FR 46792, Nov. 7, 1990]

§ 15.217 Operation within the bands 902–928 MHz, 2400–2483.5 MHz, and 5725–5850 MHz.

(a) Operation under the provisions of this section is limited to frequency hopping and direct sequence spread spectrum intentional radiators that comply with the following provisions:

(1) Frequency hopping systems shall have hopping channel carrier frequencies separated by a minimum of 25 kHz or the 20 dB bandwidth of the hopping channel, whichever is greater. The system shall hop to channel frequencies that are selected at the system hopping rate from a pseudorandomly ordered list of hopping frequencies. Each frequency must be used equally on the average by each transmitter. The system receivers shall have input bandwidths that match the hopping channel bandwidths of their corresponding transmitters and shall shift frequencies in synchronization with the transmitted signals.

(i) Frequency hopping systems operating in the 902–928 MHz band shall use at least 50 hopping frequencies. The maximum allowed 20 dB bandwidth of the hopping channel is 500 kHz. The average time of occupancy on any frequency shall not be greater than 0.4 seconds within a 20 second period.

(ii) Frequency hopping systems operating in the 2400–2483.5 MHz and 5725–5850 MHz bands shall use at least 75 hopping frequencies. The maximum 20 dB bandwidth of the hopping channel is 1 MHz. The average time of occupancy on any frequency shall not be greater than 0.4 seconds within a 30 second period.

(2) For direct sequence systems, the minimum 6 dB bandwidth shall be at least 500 kHz.

(b) The maximum peak output power of the transmitter shall not exceed 1 Watt. If transmitting antennas of directional gain greater than 6 dBi are used, the power shall be reduced by the amount in dB that the directional gain of the antenna exceeds 6 dBi.

(c) If any 100 kHz bandwidth outside these frequency bands, the radio frequency power that is produced by the modulation products of the spreading sequence, the information sequence and the carrier frequency shall be either at least 20 dB below that in any 100 kHz bandwidth within the band that contains the highest level of the desired power or shall not exceed the general levels specified in § 15.209(a), whichever results in the lesser attenuation. All other emissions outside these bands shall not exceed the general radiated emission limits specified in § 15.209(a).

(d) For direct sequence systems, the transmitted power density averaged over any 1 second interval shall not be greater than 8 dBm in any 3 kHz bandwidth within these bands.

(e) The processing gain of a direct sequence system shall be at least 10 dB. The processing gain shall be determined from the ratio in dB of the

PRIDE 102.5 FM REPORT

6-5-93

compiled by:

Mark Westwood
Operations Manager
Pride 102.5 FM

Att. #11 (cont.)
1/2

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the Matter of	)	
	)	
St. Aelred's Sarum	)	NAL/Acct. No.: 415LA0017
Episcopal Church	)	
San Bernardino, California	)	
	)	

NOTICE OF APPARENT LIABILITY

Released: February 2, 1994

By the Field Operations Bureau:

I. Introduction

1. This is a Notice of Apparent Liability for Monetary Forfeiture issued pursuant to Section 503(b) of the Communications Act of 1934, as Amended (Act), 47 U.S.C. § 503(b), to St. Aelred's Sarum Episcopal Church (St. Aelred). St. Aelred willfully violated Section 301 of the Act, 47 U.S.C. § 301.

2. The appropriate amount of forfeiture for this violation is $8,000.

II. Background

3. On January 7, 1994, agents from the Commission's Los Angeles Office observed, through over-the-air monitoring and direction-finding techniques, that St. Aelred was transmitting a radio signal on the frequency 102.5 MHz at 1580 North D Street, San Bernardino, California. The field strength of the signal was 1.5 millivolts, measured at approximately 480 feet from the antenna.

4. An inspection of the radio station revealed that St. Aelred was using a Rockwell Collins 310Z-2-FM Exciter with a transmitter power output of 5 watts. St. Aelred did not make a station license available for inspection.

III. Discussion

5. St. Aelred violated Section 301 of the Act.

6. The violation was willful[1].

7. Pursuant to our 1993 Policy Statement, Standards for Assessing Forfeitures, 8 FCC Rcd 6215 (1993), the base forfeiture amount for operation without an instrument of authorization is $8,000. There appear to be no factors which would warrant adjustment of the forfeiture amount.

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[1]The term "willful" in this context does not imply that the violation was intentional, but merely that the situation which led to the violation was not created accidentally.

Att. #13

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

In the Matter of	)	
	)	
St. Aelred's Sarum	)	NAL/Acct. No.: 415LA0017
Episcopal Church	)	
San Bernardino, California	)	
	)	

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---

[1]The term "willful" in this context does not imply that the violation was intentional, but merely that the situation which led to the violation was not created accidentally.

Att. #3

IV. Ordering Clauses

8. Accordingly, **IT IS ORDERED**, pursuant to 47 U.S.C. § 503(b), and 47 C.F.R. § 1.80, that St. Aelred's Sarum Episcopal Church **IS APPARENTLY LIABLE FOR A MONETARY FORFEITURE** in the amount of $8,000 for operation without an instrument of authorization in violation of Section 301 of the Act. The amount specified was determined after consideration of the factors set forth in Section 503(b) of the Act.

9. **IT IS FURTHER ORDERED,** pursuant to Section 1.80(f)(3) of the Rules, 47 C.F.R § 1.80(f)(3), that St. Aelred's Sarum Episcopal Church shall, within thirty (30) days of the release of this Notice, pay the full amount of the forfeiture or file a written response showing why the forfeiture should be reduced or not imposed. Any written response must include a detailed factual statement and supporting documentation.[2] Forfeitures shall be paid by check or money order payable to the Federal Communications Commission. The remittance should be marked "NAL/Acct. No.: 415LA0017" and mailed to the following address:

Federal Communications Commission
P. O. Box 73482
Chicago, Illinois 60673-7482

Send written responses regarding why the forfeiture should be reduced or not imposed to:

Federal Communications Commission
Attn: NAL/Acct. No. 415LA0017
18000 Studebaker Road, Room 660
Cerritos, California 90701-3684

10. **IT IS FURTHER ORDERED** that this notice shall be sent, by certified mail, #P 851 755 834, to St. Aelred's Sarum Episcopal Church, 1580 North D Street, San Bernardino, California 92406.

FEDERAL COMMUNICATIONS COMMISSION

J. R. Zoulek
Engineer in Charge
Los Angeles Office

cc: Sent by regular mail

PO:ps

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[2]Claims of inability to pay should be supported by tax returns or other financial statements for the most recent three years.

IV. Ordering Clauses

8. Accordingly, **IT IS ORDERED**, pursuant to 47 U.S.C. § 503(b), and 47 C.F.R. § 1.80, that St. Aelred's Sarum Episcopal Church **IS APPARENTLY LIABLE FOR A MONETARY FORFEITURE** in the amount of $8,000 for operation without an instrument of authorization in violation of Section 301 of the Act. The amount specified was determined after consideration of the factors set forth in Section 503(b) of the Act.

9. **IT IS FURTHER ORDERED,** pursuant to Section 1.80(f)(3) of the Rules, 47 C.F.R § 1.80(f)(3), that St. Aelred's Sarum Episcopal Church shall, within thirty (30) days of the release of this Notice, pay the full amount of the forfeiture or file a written response showing why the forfeiture should be reduced or not imposed. Any written response must include a detailed factual statement and supporting documentation.[2] Forfeitures shall be paid by check or money order payable to the Federal Communications Commission. The remittance should be marked "NAL/Acct. No.: 415LA0017" and mailed to the following address:

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FEDERAL COMMUNICATIONS COMMISSION

J. R. Zoulek
Engineer in Charge
Los Angeles Office

cc: Sent by regular mail

PO:ps

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[2]Claims of inability to pay should be supported by tax returns or other financial statements for the most recent three years.

R&E

ROBERTS & ECKARD, P.C.

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TELEPHONE
(202) 296-0533

TELEFAX
(202) 296-0464

January 27, 1994

BROADCASTERS FINED FOR RULE VIOLATIONS DISCOVERED IN COURSE OF FCC STATION INSPECTIONS

As a result of broadcast station inspections conducted in recent months, the FCC has issued a number of Notices of Apparent Liability ("NALs") to stations for alleged violations of the FCC's rules. Enclosed is an FCC Public Notice listing NALs issued recently and the proposed fines for those violations.

Although FCC Field Office personnel regularly conduct station inspections, most are carried out on a surprise basis. The station usually has little or no warning that the inspection will take place until the FCC inspector appears at the door. In the course of an inspection, the FCC official will review station logs, the public inspection file, as well as technical equipment and operations for compliance with the FCC's rules.

When an FCC inspector finds that a station has violated one of the FCC's rules, he is authorized to issue a written NAL specifying the alleged violation and a proposed fine. The station has an opportunity to respond to the allegations in the NAL. Based on the station's response, the FCC staff determines whether a violation of the rules has occurred and whether a fine should be assessed.

The enclosed Public Notice lists a significant number of NALs, some of which have been issued for violations of very basic requirements (e.g., public file lacked ownership report and issues-programs lists; station authorizations not posted). You will note that the fines are, in some cases, substantial. This is further evidence that despite the deregulation of the broadcast industry in recent years, the FCC is strictly enforcing the rules that remain on the books. Accordingly, stations should be prepared at all times for the possibility of an FCC inspection.

If you would like our assistance in conducting your own station inspection to ensure that your station is in compliance with the FCC's rules, please let us know.

Att. 14

NEWS
FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET, N.W.
WASHINGTON, D.C. 20554

News media information 202 / 632-5050
Recorded listing of releases and texts
202 / 632-0002

41335

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ. 1974)

January 13, 1994

NOTICES OF APPARENT LIABILITY ISSUED FOR VIOLATIONS OF BROADCAST RULES

FCC Field Offices issued the following Notices of Apparent Liability to the indicated broadcast licensees for violations of the FCC rules.

RECIPIENT	OFFICE and AMOUNT
WAWK-AM Kendallville, IN Antenna tower enclosed with fence having a defective lock. Public inspection file lacked ownership report and program list.	Allegan $2,500
WCST(AM)/WCST-FM Berkeley Springs, WV Operated with defective EBS equipment for more than 60 days without notifying FCC. Station authorizations not posted. Operated with less than 90% of authorized power for 30 days without authority from FCC.	Baltimore $4,600
WHLX(FM) Wheeling, WV Failure to maintain EBS generator. Failure to transmit weekly EBS test.	Baltimore $1,800
KPER(FM) Hobbs, NM Public inspection file not available when requested/lacked Ownership Report.	Denver $2,000

Att. #14 (cont.)

KAAS-TV — Kansas City — $2,000
Salina, KS
Public inspection file not located in community to which station is licensed.

KLGS (AM) — Kansas City — $2,600
Versailles, MO
Operated with defective EBS equipment for more than 60 days without notifying FCC.
Public information file lacked issues/ program lists.

KQRC-FM — Kansas City — $5,000
Leavenworth, KS
Public inspection file not located in community to which licensed.

KBCE(FM) — New Orleans — $4,200
Boyce, LA
Inoperative EBS receiver.
Continued operation beyond 3 hours with defective remote control.

WBSL(AM) — New Orleans — $3,750
Bay St. Louis, MS
Unable to observe transmitter metering from operating position.
Public inspection file lacked Issues and Program Lists.

WHLV(AM) — New Orleans — $9,000
Hattiesburg, MS
Tower enclosure fence destroyed.
Required remote control transmitter metering not available at studio in Ellisville, MS.

Att. #14 (cont.)

WHSY(AM)/WHSY-FM — New Orleans $11,300
Hattiesburg, MS
EBS receiver and generator inoperative.
Log record of weekly EBS test transmission not maintained.
Remote control metering for FM transmitters inoperative.
Unable to observe AM transmitter metering from operating position.
Public inspection file was incomplete.

WJKX(FM) — New Orleans $3,000
Ellisville, MS
No EBS receiver or generator at remote control location.

For further information, please contact Claudette Jefferson, Legal Branch, Field Operations Bureau at (202) 632-6977.

-FCC-

Att. 14 (cont.)

ST. AELRED'S PARISH
Sarum Episcopal Church
1580 North D Street, Suite 5
San Bernardino, CA 92405

909 - 384 - 1940

February 27, 1994

Federal Communications Commission

RE: NAL/Acct. No.: 415LA0017

I. Introduction

1. We are in receipt of your NAL/Acct. No.: 415LA0017 dated February 2, 1994 for which response is required within thirty (30) days [by March 4, 1994].

We seek to appeal this citation and your decision and request your assistance in advising us of the proper method to appeal this citation and decision. In addition, we hereby request an extension on the stated time limits to pay such and any liens or one year.

You state that "St. Aelred willfully violated Section 301 of the Act, 47 U.S.C. Section 301."

We contest this. From the onset of this project until the present there has never been, nor is there now, nor will there be intent to willfully violate any Federal, State, County or Municipal law, statute or regulation pertaining to any of the operations of St. Aelred's Parish and, very specifically, **PRIDE Radio at 102.5 FM.**

To the contrary, we choose to make use of whatever the law provides well within the constraints of the law. To this end, we have bent over backwards, with documentation to prove the same, to seek the involvement of the Federal Comunications Commission (FCC) prior to broadcast, and requested the direct assistance of the FCC to ascertain that we are in compliance.

Att. 15

We began correspondence with the FCC in November 1993 via telephone and were referred by a Mr. "Zouler" (of the Cerritos office) to the San Diego office because of jurisdiction. Our first official response via United States Postal Service registered mail (#P224-844-493) was on November 18, 1993. Never, at any time, was this broadcast covert, and we have made every attempt to willfully abide by the law.

Since the Cerritos office of the FCC referred us to Mr. Jim Lyons of the San Diego office of the FCC, he provided oral information via telephone and sent us FCC rules on Part 15 FM broadcast. We directed documentation of every item of equipment. To the best of our knowledge and subject to his input, we made every attempt to be in compliance.

At the time of inspection, Mr. Zoulek was either confused, attempted to confuse our staff, or was unaware of Part 15 rules on FM broadcast and made the statement that "we were on the wrong band (in reference to 88-108 MHZ) and we're not even allowed to be on the FM band. Even after being shown actual photocopied pages from the FCC rules book, he still seemed confused on the matter. The existence of a license-free registration service for Part 15, or low-power broadcast radio stations, would have precluded the need for this conflict. Since this is not the first incident of such a case, the FCC is derelict in public service regarding this issue. (Ref.. William Leigh Dougan [operator unlicensed station KAPW(FM) Phoenix] v. FCC.)

We maintain the standpoint that the FCC should not fine a church, operating under IRS code 501c(3) pertaining to not-for-profit corporations, for any violation until it is clear within the FCC offices what the actual rules are.

It is inappropriate to fine citizens obviously trying to obey the law when the FCC cannot even decide under which jurisdiction the radio station may fall.

2. We contest the appropriateness of a forfeiture of $8,000.

II. Background

3. We do not agree with the measurement taken at approximately 480 feet from the antenna. According to the literature of the FCC, it appears that the measurement should be taken approximately three (3) meters [about 9-10 feet] from the broadcast antenna.

4. We do not agree that the transmitter had an output of 5 watts. Mr. Zoulek's statement said that we were heard at one (1) mile. Obviously, five (5) watts would have given us much more coverage. His statement seems to actually conflict with his specified measurements. Furthermore, the measurement at 480 feet instead of at nine (9) meters illustrates, in his own writing, confusion on the matter. In addition Mr. Zoulek indicated that at first approach he could not find our church, and, later, took measurements directly from the transmitter, not allowing for line loss. The transmitter was then un-